

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

SHANE TAYLOR,

Plaintiff,

vs.

BARSONY HOLSTERS & BELTS, LLC,
an Oregon Limited Liability Company;
and SMITH AND WESSON, a Delaware
Corporation;

Defendants.

8:18CV210

AMENDED PROGRESSION ORDER

This matter is before the court on the parties' joint motion for extension of certain progression deadline, (Filing No. 43). After consideration, IT IS ORDERED that all unexpired deadlines in the final progression order are extended as follows:

- 1) The trial and pretrial conference will not be set at this time. A status conference was previous for February 24, 2021 at 10:00 a.m. That conference remains set for the foregoing time and date.
- 2) The deadlines for complete expert disclosures¹ for all experts expected to testify at trial, (both retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(B\)](#)), and non-retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(C\)](#)), are:

For the plaintiff(s): January 15, 2021.

For the defendant(s): February 15, 2021.

Plaintiff(s)' rebuttal: March 15, 2021.

- 3) The deposition deadline, including but not limited to depositions for oral testimony only under Rule 45, is April 15, 2021.

¹ While treating medical and mental health care providers are generally not considered "specially retained experts," not all their opinions relate to the care and treatment of a patient. Their opinion testimony is limited to what is stated within their treatment documentation. As to each such expert, any opinions which are not stated within that expert's treatment records and reports must be separately and timely disclosed.

- 4) The deadline for filing motions to dismiss and motions for summary judgment is May 14, 2021.
- 5) The deadline for filing motions to exclude testimony on *Daubert* and related grounds is May 14, 2021.
- 6) The parties shall comply with all other stipulations and agreements recited in their Rule 26(f) planning report that are not inconsistent with this order.
- 7) All requests for changes of deadlines or settings established herein shall be directed to the undersigned magistrate judge, including all requests for changes of trial dates. Such requests will not be considered absent a showing of due diligence in the timely progression of this case and the recent development of circumstances, unanticipated prior to the filing of the motion, which require that additional time be allowed.

Dated this 6th day of November, 2020.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge